

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

TINNUS ENTERPRISES, LLC,

and

ZURU LTD.,

PLAINTIFFS,

V.

TELEBRANDS CORP., ET AL.,

DEFENDANTS.

CASE NO.: 6:16-CV-00033-RWS

(LEAD CASE)

JOINT NOTICE REGARDING MEET AND CONFER
ON AMOUNT OF ATTORNEYS FEES PER DKT. 719

Pursuant to the Court’s Order (Dkt. 719), Plaintiffs Tinnus Enterprises, LLC and ZURU Ltd. (collectively “Plaintiffs”) and Defendants Telebrands Corporation, Bulbhead.com, LLC, Bed Bath & Beyond Inc., Fry’s Electronics, The Kroger Company, and Walgreen Co. (collectively, “Defendants”) (collectively, “the parties”) provide this notice regarding the meet and confer that the Court ordered as to “an appropriate amount for fees” to be awarded. Dkt. 719 at 62-63.

The parties met and conferred, identified areas of dispute regarding the amount that Plaintiffs requested and were able to reach an agreement on the amount as a matter of compromise. Specifically, the parties have agreed to \$4,750,000 as the amount of attorneys' fees and expenses to be awarded pursuant to the Court's Order under 35 U.S.C. § 285. This compromise as to the particular amount of attorneys' fees and expenses is without waiving and without prejudice to Defendants' objections to the underlying fee award and Defendants' ability to appeal the rulings set

forth in Dkt. 719. Similarly, Plaintiffs reserve all of their rights and arguments in connection with Defendants' objections.

<p>Dated: March 22, 2019</p> <p>By: <u>/s/ Lance Lee</u> W. Lance Lee Texas Bar No. 24004762 wlancelee@gmail.com 5511 Plaza Drive Texarkana, TX 75503 Tel: (903) 223-0276</p> <p>Gregory Love State Bar No. 24013060 LOVE LAW FIRM, PC greg@lovetrialfirm.com 107 E. Main Street Henderson, TX 75652 Tel: (903) 212-4444</p> <p>Robert T. Maldonado Rmaldonado@cooperdunham.com Laura Alos lalos@cooperdunham.com Tonia Sayour tasyour@cooperdunham.com Vishal Parikh vparikh@cooperdunham.com COOPER & DUNHAM LLP 30 Rockefeller Plaza New York, New York 10112 Tel: 212-278-0400</p> <p><i>Counsel for all Defendants</i></p> <p>Morgan Chu mchu@irell.com Richard Birnholz rbirnholz@irell.com Molly Russell mrussell@irell.com Andreas Petasis apetasis@irell.com Irell & Manella</p>	<p>Respectfully submitted,</p> <p>By: <u>/s/ Eric H. Findlay</u> Eric H. Findlay State Bar No. 00789886 Debby Gunter State Bar No. 24012752 FINDLAY CRAFT, P.C. 102 N. College Ave, Ste. 900 Tyler, TX 75702 903-534-1100 (t) 903-534-1137 (f) efindlay@findlaycraft.com dgunter@findlaycraft.com</p> <p>Thomas M. Dunlap (Admitted E.D. Tex./VA Bar No. 44016) Eric Olavson (Admitted E.D. Tex./VA Bar No. 87872) Dunlap Bennett & Ludwig PLLC 211 Church Street, SE Leesburg, Virginia 20175 (703) 777-7319 (t) (703) 777-3656 (f) tdunlap@dbllawyers.com eolavson@dbllawyers.com</p> <p>Cortland C. Putbrese (Admitted E.D. Tex./ VA Bar No. 46419) Dunlap Bennett & Ludwig PLLC 2307 East Broad Street, Ste. 301 Richmond, Virginia 23223 (804) 977-2688 (t) (804) 977-2680 (f) cputbrese@dbllawyers.com</p> <p>Brian M. Koide Admitted E.D. Tex./VA Bar No. 46,329 Dunlap Bennett & Ludwig PLLC 8300 Boone Blvd #550 Vienna, VA 22182 703-442-3890 (t)</p>
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<p>1800 Avenue of the Stars Suite 900 Los Angeles, CA 90067 Tel: (310) 203-7000 Fax: (310) 203-7199</p> <p><i>Counsel for Defendant Telebrands Corporation</i></p>	<p>703-777-3656 (f) bkoide@dbllawyers.com</p> <p><i>Counsel for Plaintiffs Tinnus Enterprises, LLC and ZURU Ltd.</i></p> <p>By: <u>/s/ Kelly J. Kubasta</u> Kelly J. Kubasta Texas Bar No. 24002430 Ferguson Braswell Fraser Kubasta PC 2500 Dallas Parkway, Suite 600 Plano, TX 75093 972-378-9111 (t) 972-378-9115 (f) kkubasta@fbfk.law</p> <p><i>Counsel for Plaintiff Tinnus Enterprises, LLC</i></p>
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CERTIFICATE OF SERVICE

This is to certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via electronic mail on this the 22nd day of March, 2019.

/s/ Eric H. Findlay
Eric H. Findlay

CERTIFICATE OF AUTHORIZATION TO FILE UNDER SEAL

I certify that this Joint Notice Regarding Meet and Confer on Amount of Attorneys Fees Per Dkt. 719 is authorized to be filed under seal by the Protective Order entered in this matter.

/s/ Eric H. Findlay
Eric H. Findlay